

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DONNIE RAY TURNER,

Plaintiff,

v.

**MICHAEL J. ASTRUE, Commissioner
of Social Security,**

Defendant.

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**No. 3:08-cv-241
(Phillips/Guyton)**

ORDER

On May 20, 2009, the Honorable H. Bruce Guyton, United States Magistrate Judge, issued a Report and Recommendation ("R&R") [Doc. 19], in which he recommended that plaintiff's Motion for Judgment on the Pleadings [Doc. 11] be denied and the Commissioner's Motion for Summary Judgment [Doc. 15] be granted.

The deadline for timely objections has passed with no such objections having been filed. Fed. R. Civ. P. 72(b)(2); *see also* Fed. R. Civ. P. 6(a), (d). After a careful review of the R&R and the record, the court is in complete agreement with Judge Guyton's analysis. Accordingly, the R&R is **ACCEPTED IN WHOLE**, which the court adopts and incorporates into this ruling, whereby plaintiff's Motion for Judgment on the Pleadings [Doc. 11] is **DENIED** and the Commissioner's Motion for Summary Judgment [Doc. 15] is **GRANTED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge